

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	
vs.)	Case No. 06-0324-01-CR-W-FJG
Javier Cazares-Saenz,)	
)	
Defendant.)	

ORDER

Pending before this Court is defendant's motion to suppress evidence and statements (Doc. #19), filed October 31, 2006; the Government's response (Doc. #23), filed December 4, 2006, and defendant's suggestions in support (Doc. #28), filed December 28, 2006.

On December 5, 2006, United States Magistrate Judge John T. Maughmer held an evidentiary hearing on the pending motion to suppress. Thereafter, on March 6, 2007, the Magistrate entered a report and recommendation (Doc. #30) which recommended denial of the above-mentioned motion. Defendant's objections to the report and recommendation (Doc. #33) were filed on March 14, 2007.

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the Magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress evidence and statements (Doc. #19), filed October 31, 2006, must be denied.

Accordingly, it is

ORDERED that the Magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress evidence and statements (Doc. #19), filed October 31, 2006, is denied.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 3/21/07